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Patent Application

Inventor(s): Kailash K. Mutha
Case No.: LUC-430/Mutha 1
Serial No.: 10/726,046
Filing Date: 12/02/2003
Title: EMPLOYMENT OF ONE OR MORE IDENTIFIERS OF ONE OR MORE
COMMUNICATION DEVICES TO DETERMINE ONE OR MORE
INTERNET PROTOCOL ADDRESSES

Examiner Saket K. Daftuar
Art Unit: 2451

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile transmission to Commissioner for Patents, Mail Stop Amendment, Group Art Unit 2451, Attention: Examiner Saket K. Daftuar, P.O. Box 1450, Alexandria, VA 22313-1450, at fax number (571) 273-8300, on September 21, 2010.



James Milton
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Reg. No. 46,935

Date of Signature: September 21, 2010

Commissioner for Patents
Mail Stop Amendment
Group Art Unit 2451
Attention: Examiner Saket K. Daftuar
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Alexandria, VA 22313-1450
Fax Number (571) 273-8300

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Dear Sir:

Applicant requests review of the final rejection of this application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. The review is requested for the reasons stated on the attached sheets.

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REMARKS

Claims 1-30 are pending in the application. Claims 1-30 were rejected under 35 U.S.C. § 103 (a).

Rejections Under 35 U.S.C. § 103 (a)Rejection Under Sridhar, Thompson and Jenny

Claims 1-2, 5-11, 14-15, 19-25 and 29-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent Number 6,324,582 issued to Sridhar and U. S. Patent Application Number 2002/0075304 issued to Thompson, and further in view of U. S. Patent Application Number 2003/0065743 issued to Jenny.

Applicant respectfully traverses this ground of rejection for the following reasons.

Applicant's claim 1 recites,

"one or more server components operable to communicate with one or more router components, wherein the one or more server components are operable to employ one or more identifiers of one or more communication devices to make a determination of one or more internet protocol addresses of the one or more router components, and wherein the one or more identifiers comprise any one or more of:

a phone number for one or more users associated with the one or more communication devices;

an email address for the one or more users associated with the one or more communication devices;

an instant message name for the one or more users associated with the one or more communication devices; and

a user name for the one or more users associated with the one or more communication devices;

wherein the one or more server components are operable to assign an internet protocol address to the one or more communication devices, and wherein at least one of the one or more server components comprises one of an optical, a biological, or an atomic data storage medium, and wherein the one or more server components are operable to employ at least one of the one or more identifiers and one or more screening preferences to direct a voice over Internet Protocol

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(VOIP) call as one of one or more messages or calls through the one or more router components to the one or more communication devices."

In the Final Office Action, the Examiner has equated applicant's "one or more communication devices" to Sridhar's "router". Applicant's claim 1 requires that identifiers of the one or more communication devices comprise any one or more of a "phone number, email address, an instant message and a user name for the one or more users associated with the one or more communication devices".

The Examiner agrees that Sridhar does not teach or suggest these limitations. The Examiner proposes to combine Sridhar with Thompson to achieve applicant's claim 1. The Examiner rejected applicant's "phone number, email address, an instant message and a user name for the one or more users associated with the one or more communication devices" identifier limitations by citing Thompson's teaching of "a PSTN destination number, an IP address, an e-mail address for each communications device identified by the respective team member in their current personal profile" as stated in paragraph 0083, "instant messaging" as stated in paragraph 0011 and "user name" as stated in paragraph 0078. The Examiner contends that it would be obvious to include the communication devices, i.e., router, from Sridhar with the identifiers, i.e., "PSTN destination number, IP address, e-mail address for each communications device identified by the respective team member in their current personal profile", "instant messaging" and "user name" from Thompson to achieve applicant's claim 1.

Applicant disagrees.

First, Thompson does not disclose a router as "one or more communication devices" identified by the respective team member in their current personal profile. Instead, Thompson discloses personal computers (16, 20), office telephone 18, wireline telephone 22, PDA 24, wireless telephone 26, and 2-way pager 28 as communication devices identified by the respective team member in their current personal profile. See paragraphs 0078 and 0086. As known by those skilled in the art, a router is a device that interconnects two or more networks and determines the next network point to which a received packet should be forwarded toward its destination based on a table of the available routes and their conditions. Since a personal computer, office telephone, wireline telephone, PDA, wireless telephone, and

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2-way pager do not interconnect two or more networks and do not determine the next network point to which a received packet should be forwarded toward its destination based on a table of the available routes and their conditions, they cannot be considered a router. Thus, Thompson does not disclose a router as a communications device identified by the respective team member in their current personal profile.

Second, Thompson does not disclose a phone number, an email address, an instant message and a user name as identifiers of a router. The Examiner has equated Thompson's PSTN destination number to applicant's phone number, Thompson's e-mail address to applicant's e-mail address, Thompson's instant messaging to applicant's instant message, and Thompson's user name to applicant's user name for the one or more users associated with the one or more communication devices. However, Sridhar's one or more communication devices, i.e., routers, are not identifiable by Thompson's PSTN destination number, email address, instant messaging or user name. As known by those skilled in the art, routers are identified by an Internet Protocol address, which is a 32-bit number, written as four numbers separated by periods, that identifies each sender or receiver of information that is sent in packets across the Internet. Since Thompson's PSTN destination number, email address, instant messaging and user name are not a 32-bit number, written as four numbers separated by periods, that identifies each sender or receiver of information that is sent in packets across the Internet, they cannot be considered an identifier of Sridhar's one or more communication devices, i.e., routers.

Applicant notes that Thompson discloses an IP address, however, Thompson's IP address is not equivalent to applicant's recited "identifiers" that comprise a phone number, an email address, an instant message and a user name for the one or more users associated with the one or more communication devices limitations.

Third, the proposed combination of Sridhar with Thompson would be a solution wherein Sridhar's server components could not employ Thompson's phone number, email address, instant message or user name as identifiers of Sridhar's routers to determine an internet protocol address. The proposed combination is clearly different from applicant's claim 1, because claim 1 requires server components to employ one or more identifiers (i.e., a phone number, an email address,

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an instant message or a user name) of one or more communication devices to make a determination of one or more internet protocol addresses.

Fourth, the Final Office Action has cited Jenny only for its alleged teaching of "an optical drive". Thus, the Final Office Action seems to indicate, and applicant agrees, that Jenny does not supply the elements of applicant's claim 1 that were shown hereinabove not to be taught by Sridhar and Thompson.

Therefore the proposed combination of Sridhar, Thompson and Jenny does not teach or suggest all of the limitations in applicant's claim 1, and therefore claim 1 is allowable over the proposed combination. Since claims 2-14 and 22-29 depend from allowable claim 1, these claims are also allowable over the proposed combination.

Independent claims 15, 21 and 30 each have a limitation similar to that of independent claim 1, which, as shown above, is not taught by the proposed combination. For example, claims 15 and 21 recite, "wherein the one or more identifiers comprise any one or more of a phone number, an email address, an instant message name, and a user name of user associated with a communication device" and claim 30 recites "a phone number for one or more users associated with the one or more communication devices; an email address for the one or more users associated with the one or more communication devices; an instant message name for the one or more users associated with the one or more communication devices; and a user name for the one or more users associated with the one or more communication devices". The proposed combination does not teach or suggest these limitations for the above-mentioned reasons. Therefore, claims 15, 21 and 30 are likewise allowable. Since claims 16-20 depend from claim 15, these dependent claims are also allowable.

Rejections Under Sridhar, Thompson, Jenny, Conrath, Brooks, Levine and Maes

Claims 3-4, 12-13, 16-18 and 26-28 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Sridhar, Thompson and Jenny, in view of various references.

Applicant respectfully traverses these grounds of rejection.

These rejections are based on the rejection under Sridhar, Thompson, and Jenny being proper. As that ground of rejection has been overcome, and none of the cited references teach or suggest "a phone number for one or more users associated with the

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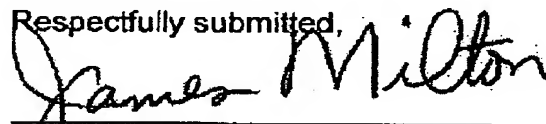
one or more communication devices; an email address for the one or more users associated with the one or more communication devices; an instant message name for the one or more users associated with the one or more communication devices; and a user name for the one or more users associated with the one or more communication devices", as recited in applicant's independent claims 1 and 30, and "wherein the one or more identifiers comprise any one or more of a phone number, an email address, an instant message name, and a user name of user associated with a communication device", as recited in applicant's independent claims 15 and 21, the combination of Sridhar, Thompson, Jenny, Conrath, Maes and Brooks does not supply these missing elements. Thus, these combinations do not make obvious any of applicant's claims, all of which require the aforesaid limitations.

Conclusion

In view of the above remarks, withdrawal of the rejections and/or reversal of the rejections of all claims pending is respectfully requested.

If a telephone conference would be of assistance in advancing the prosecution of this application, feel free to call applicant's attorney.

Respectfully submitted,



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